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8 *Attorneys for Defendant,*
9 *OCWEN LOAN SERVICING, LLC*

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 CYNTHIA B. HALL,

13 Plaintiff,

14 v.

15 OCWEN LOAN SERVICING, LLC,

16 Defendant.

17 Case No.: 2:15-CV-00499-RFB-NJK

18 **OCWEN LOAN SERVICING, LLC'S
MOTION FOR A ONE-WEEK
EXTENSION TO THE DISPOSITIVE
MOTION DEADLINE (FIRST
REQUEST)**

19 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rules 6-1 and 26-4,
20 Defendant Ocwen Loan Servicing, LLC ("Ocwen"), by and through its attorneys of record, Dana
21 Jonathon Nitz, Esq., and Natalie C. Lehman, Esq., of the law firm of Wright, Finlay & Zak, LLP,
22 hereby moves the Court for a one-week extension to the October 31, 2016 dispositive motion
23 deadline.

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This Motion is based on the attached memorandum of law, all pleadings on file, and any such argument as permitted by the Court.

DATED this 27th October, 2016.

WRIGHT, FINLAY, & ZAK, LLP

/s/ Dana Jonathon Nitz, Esq.

Dana Jonathon Nitz, Esq.

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Ocwen Loan Servicing*

MEMORANDUM OF POINTS AND AUTHORITIES

Ocwen respectfully requests a one-week extension, until November 7, 2016, to the October 31, 2016 dispositive motion deadline. Ocwen has twice moved for extensions to the discovery deadlines in this case due to difficulties it had with securing complete discovery responses from Plaintiff, who is *pro se*. (Dkt. Nos. 28, 30). Ocwen also requested leave to take Plaintiff's deposition outside of the October 3, 2016 discovery cut-off due to scheduling issues with Plaintiff (Dkt. Nos. 45, 38), completed that deposition on October 11, and recently received the deposition transcripts. All discovery is now complete.

Ocwen has been diligently preparing a motion for summary judgment under Federal Rule of Civil Procedure 56 with respect to all claims asserted against it by Plaintiff, but needs an additional 7 days to complete its motion papers. Ocwen intends to submit a declaration in support of its motion from its corporate witness, Crystal Kearse, who is Ocwen's sole designated

1 corporate witness for matters involving the Telephone Consumer Protection Act, including this
2 case. Ocwen's undersigned counsel has been working with Ms. Kearse to prepare a declaration,
3 but the declaration is not yet complete because Ms. Kearse has been largely occupied recently
4 with preparation for and attendance as a corporate witness in other matters around the country,
5 including a two depositions, a mediation, and three trials since the week of October 10. Ms.
6 Kearse is currently preparing for and will be travelling to a mediation in Connecticut tomorrow,
7 and will not be able to work with Ocwen's undersigned counsel to complete her review of the
8 proposed declaration and supporting materials by the October 31 deadline. Ocwen's counsel
9 anticipates being able to secure a completed declaration by November 7.

10 Pursuant to Local Rules 6-1 and 26-4, Ocwen states that this request for a one-week
11 extension was not filed 21 days prior to the October 31, 2016 dispositive motion deadline due to
12 excusable neglect. Ocwen's counsel expected that it would be able to timely file its motion for
13 summary judgment in this case and did not anticipate that its obligations in other matters,
14 compounded with Ms. Kearse's limited availability, would require it to need additional time to
15 file its motion for summary judgment in this case. The delay in securing Plaintiff's deposition –
16 necessary to support the intended motion for summary judgment – also contributed to Ocwen's
17 timing challenges. Ocwen does not intend to cause any unnecessary delay, and its proposed
18 seven-day extension will not prejudice any parties.

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Accordingly, for these reasons, Defendant Ocwen Loan Servicing, LLC respectfully requests the Court enter an order granting Ocwen's motion to extend its deadline to file its motion for summary judgment until November 7, 2016, and any other relief the Court deems necessary.

DATED this 27th day of October, 2016.

WRIGHT, FINLAY, & ZAK, LLP

/s/ Dana Jonathon Nitz, Esq.

Dana Jonathon Nitz, Esq.

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Natalie C. Lehman, Esq.

Nevada Bar No. 129

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IT IS SO ORDERED.

Dated: October 28, 2016

United States Magistrate Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 27th day of October, 2016, the foregoing **MOTION FOR A ONE-WEEK EXTENSION TO THE DISPOSITIVE MOTION DEADLINE** was electronically filed via the ECF System of the United States District Court for the District of Nevada and served via first class U.S. Mail as follows:

Cynthia B. Hall
9833 Camino Loma Verde Avenue
Las Vegas, Nevada 89117
Pro Se Plaintiff

/s/Lisa Cox